

UNITED STATES FEDERAL DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUSTAVIA HOMES, LLC,

Docket No.: 16-04015

Plaintiff,

-v-

YVETTE HOYER; SHAUNA PAUL; UNITED
STATES OF AMERICA et al.,

Defendants.

**DECLARATION IN SUPPORT
OF OPPOSITION TO
PLAINTIFF'S WRIT OF
ASSISTANCE**

Nigel E. Blackman, Esq., for and on behalf of Defendants, YVETTE HOYER and SHAUNA PAUL herein affirms pursuant to the penalties as follows:

1. I am associated with the firm, Eastbrook Legal Group, attorneys for the Defendants, YVETTE HOYER and SHAUNA PAUL.
2. I make this certification in support of Defendants opposition to Plaintiff's application for a writ of assistance.
3. This office has only been made aware of Plaintiff's application on April 14, 2024, after Defendant, SHAUNA PAUL contacted this office regarding the filing of Plaintiff's application for a writ of assistance. Furthermore, this office has received no other post judgment documents.
4. The Plaintiff's application for a writ of assistance should be denied in its entirety. The Plaintiff has failed to effect service of process on the Defendants thereby not giving Defendants due time to have knowledge of the proceedings or due notice to adequately prepare.
5. The court does not have jurisdiction to hear this application.
6. The Plaintiff's documents, on their face, show that Plaintiff has failed to serve the Defendants or the Defendants' attorneys.
7. The Writ of Assistance papers show this counsel's office address as follows:

**Nigel Blackman, Esq.
Adler & Gross
225 Broadway Ave, Suite 2400
New York, NY 10007**

8. My office address, at the time I entered an appearance in this was:

**Eastbrook Legal Group
757 Third Ave, 20th Fl
New York, NY 10017**

Or previously:

Blackman & Melville, P.C
11 Broadway, Suite 615
New York, NY 10004

Our mailing address is and has at all material times been:

1557 Buford Dr., #491930
Lawrenceville, GA 30049

9. This office is neither now, nor has it ever been associated with Adler & Gross. Furthermore, I have no affiliation with Adler & Gross, whatsoever. This office has never received a Notice of the Sale, Referee's report or any other document purported to be on behalf of the Defendants, SHAUNA PAUL or YVETTE HOYER. In fact, this is the first time that this office has seen or been made aware of the terms of any sale, which has been produced.
10. Neither SHAUNA PAUL nor YVETTE HOYER have been made aware of the terms of the sale.
11. This court should deny the Plaintiff's application as it has severely prejudiced Defendants by not notifying either them or their attorneys properly.
12. This jurisdictional defect and failure is evident on the face of the record and the Defendants request that the Plaintiff's requested relief should be denied.
13. Additionally, there is an appeal pending in this very case.

Dated: April 16, 2024



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